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6 Attorneys for Defendants
BAYER CORPORATION,
7 BAYER HEALTHCARE LLC,
BAYER HEALTHCARE PHARMACEUTICALS INC., and
8 MCKESSON CORPORATION

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 ROXANNE FOSTER,

13 Plaintiff,

14 vs.

15 BAYER CORPORATION; BAYER
16 HEALTHCARE LLC; BAYER
PHARMACEUTICALS CORPORATION;
17 BAYER HEALTHCARE
PHARMACEUTICALS INC.; BERLEX
18 LABORATORIES, INC.; BERLEX, INC.;
BAYER SCHERING PHARMA AG;
19 BAYER AG; MCKESSON
CORPORATION and DOES 1 through 10,
20 Inclusive,

21 Defendants.

No. C 09-5708 BZ

**STIPULATION AND ~~[PROPOSED]~~
ORDER FOR STAY OF PROCEEDINGS**

22 WHEREAS, on October 1, 2009, the Judicial Panel on Multidistrict Litigation ("JPML")
23 ordered the transfer of thirty-two marketing, sales practices, and products liability actions
24 involving Yasmin® and YAZ® to MDL-2100, titled *In re Yasmin and YAZ (Drospirenone)*
25 *Marketing, Sales Practices and Products Liability Litigation*, in the United States District Court
26 for the Southern District of Illinois - see Exhibit A hereto;
27
28

1 WHEREAS, the parties agree that this action is a tag-along action subject to transfer to the
2 MDL;

3 WHEREAS, the requested stay will serve the interests of judicial economy and fairness to
4 the parties, and will avoid wasting this Court's resources, because the MDL court will soon
5 address common pretrial issues in these related Yasmin®/YAZ® actions;

6 NOW, THEREFORE, the parties, through their respective counsel of record, agree and
7 stipulate as follows:

8 All proceedings, including but not limited to any date to respond to the complaint, any
9 case management deadlines, any Rule 26 disclosure obligations and all other dates and deadlines
10 are hereby **STAYED** pending transfer to the MDL proceeding that has been established in the
11 United States District Court for the Southern District of Illinois and all pending dates and
12 deadlines are **VACATED**.

13 IT IS SO STIPULATED.

14
15 Dated: Dec. 18, 2009

16 ROBINSON, CALCAGNIE & ROBINSON

SQUIRE, SANDERS & DEMPSEY L.L.P.

17 
18 Daniel S. Robinson

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18 David A. Gabianelli

19 Attorneys for Plaintiff
20 ROXANNE FOSTER

Attorneys for Defendants
BAYER CORPORATION,
BAYER HEALTHCARE LLC,
BAYER HEALTHCARE
PHARMACEUTICALS INC., and
MCKESSON CORPORATION

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 DATED: December 22, 2009


HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge

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